

REMARKS

Under this Amendment applicants have amended Claim 16, and since remaining Claims 17, 18 and 19 depend directly or indirectly from Claim 16, reconsideration of this application is respectfully requested.

The invention defined by Claims 16 to 19 relates to a hands free system in which the speaker and circuit board are held between the two halves of the housing eliminating the need for special fasteners and locating devices for the circuit board and the speaker. This results in a substantial cost saving compared to other hands free systems.

Claim 16 has been rejected under 35 USC 102(b), as as being anticipated by the Yang, U.S. Patent No. 5,282,246, and this rejection includes a marked up copy of Claim 16 as follows:

"As per claim 16: an aftermarket hands-free unit for a mobile wireless telephone, comprising:

a base unit having an integral generally annular nose insert-able into a vehicle power socket, said base including a housing with upper and lower housing portions reads on '246(see fig. 1, elements 1 and 2, abstract; 2, lines 12-20), a circuit board clam-shelled between the upper and lower housing portions with portions of both the upper and lower housing portions engaging and clamping the circuit board reads on '246 (see fig. 1, elements 51' and 1), and a speaker clam-shelled between the circuit

board and the upper housing portion with portions of the circuit board and the upper housing portion engaging and clamping the speaker in a fixed position(see fig. 1, element 52'). The housing(fig. 1, element 1) includes an upper and lower housing sections. The insert-able power plug, which is not labeled, is seen connected to the cord 2. Furthermore, speaker of the prior art includes speaker circuit(see col. 4, lines 17-25) which could have been built on a circuit board to provide supports for the circuit elements.

As per claim 17: an aftermarket hands free unit for a mobile wireless telephone, wherein the upper housing portion has a grill for the speaker reads on '246(see fig. 1, element 52'). The position of the speaker grill would have been a choice of design.

As per claim 18: an aftermarket hands free unit for a mobile wireless telephone, including a finger insert-able recess in the housing with a switch therein for operating the hands free unit reads on '246(see fig. 1, elements 2' and 3; col. 2, lines 12-20)."

This rejection is respectfully traversed particularly with respect to the Claims as now amended.

Applicants enclose herewith a marked-up copy of Fig. 3 in the Yang, U.S. Patent No. 5,282,246. In this marked-up copy of Yang's Fig. 3, applicants have designated the parting line between the top housing section and the bottom housing section with the legend "A", which appears as a horizontal line in the drawing. Note the cross-hatching reversal just to the left of the lead arrow from new designation A is northwest in the upper section 6, and southwest

in the lower section 1, indicating that it is in fact a parting line. This can also be seen in Fig. 4 of the patent.

In any event, firstly the speaker 52' is not clamshelled in any way between the upper housing section and the lower housing section 1. That is the first deficiency.

Secondly, the circuit board 5 is not even shown in any of Yang's drawings so how in the world can the examiner state that that feature is shown. The speaker 52' in Yang's upper housing section is between two walls, but both of these walls are in the upper housing section.

Claim 16 has been amended to recite that the upper and lower housing portions are "separable" to distinguish over the two walls of the upper housing section in Yang.

Claim 16 also requires "a circuit board clamshelled between the upper and lower housing portions with both portions of the upper and lower housing portions engaging and clamping the circuit board". This is simply not shown anywhere in the Yang patent. Furthermore, Claim 16 recites "a speaker clamshelled between the circuit board and the upper housing portion with portions of the circuit board and the upper housing portion engaging and clamping the speaker in a fixed position". There is no circuit board shown in the Yang patent except in Fig. 2, and that is just

a schematic circuit and not the board itself. Yang simply has no circuit board engaging the speaker 52'. In fact, it appears that 52' is pushed into the upper housing portion from the outside, and there is no clamshell. This is true because you can see a bezel around the speaker in Fig. 3, indicating it is inserted from the exterior of the upper housing section during assembly.

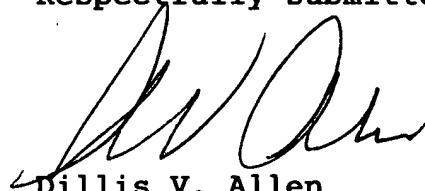
Claim 16 has also been amended to recite "fasteners connecting the upper and lower housing portions together". This is also simply not shown in Yang.

Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Yang "as applied to the claims above, and further in view of Lam, U.S. Patent No. 6,504,471 B1." Inasmuch as Claim 19 depends from Claim 16, it is patentable over Yang for the reasons presented above, and Lam adds nothing to the basic deficiencies in Yang.

Applicants' counsel has studied the other patents cited by the examiner; namely, the Chen, U.S. Patent No. 6,229,891 B1, and the Huang, U.S. Patent No. 5,977,747, but does not believe them any more relevant than the patents discussed above.

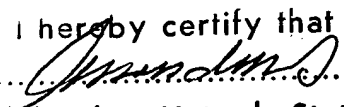
As applicants have made a good faith effort to place this application in condition for allowance, reconsideration and issuance are respectfully requested.

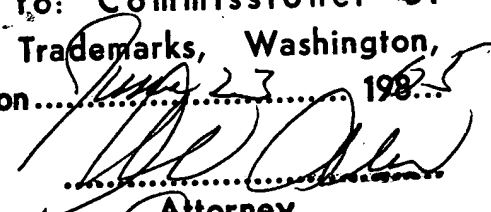
Respectfully submitted,



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Attorney

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Date